

**NEW HAMPSHIRE BOARD OF NURSING  
MINUTES  
January 16, 2014**

Recorder: Kathryn Dickson, Executive Secretary

TOPIC	DISCUSSION	ACTION
1.0 Call to Meeting	Nursing students from St. Joseph School of Nursing welcomed.	Meeting called to order at 8:10 a.m. with R. Duhaime, Chair, presiding. Board members present: K. Baranowski (KB), C. Smith (CS), B. Fersch (BF), N. Fortin (NF), J. Kuras (JK), H. Featherston (HF), T. Collins (TC), K. Kidder (KK) Board members absent: B. Libby (BL), A. Finn-Waddell (AF) Board staff present: D. Nies (DN), A. Pavlidis (AP), L. Tetreault (LT), K. Dickson (KD) Board staff absent: S. Goodness (SG)
1.1 Open Forum	None	
1.2 Addendum		
1.2.1 Additions		7.1.3.1 D. Doucette, RN, Add'l documentation 7.2.3 N. Stewart, LNA (VS) 7.2.4 R. Nichols, RN/APRN (VS) 9.3.8.1 C. B., Additional documentation 9.3.9 E. Lapierre 9.3.10 L. Billings 11.3.1 Request for Board Advice: RN Scope of Practice: Insulin Management
1.2.2 Deletions	None	
1.3 Appearances		7.1.1 J. Turgeon 8:45 a.m. 7.1.2 K. Moore 9:00 a.m. 7.1.3 D. Doucette 9:30 a.m. 10.1.1 MCC 10:30 a.m. 7.1.4 D. Chaisson 11:00 a.m. 3.0 Public Hearing 11:00 a.m.

TOPIC	DISCUSSION	ACTION
		8.1.1 K. Welch 1:00 p.m. 7.2.2 B. Birner 1:30 p.m. 8.1.2 J. Gould 1:45 p.m.
2.0 Approval of minutes 2.1 December 19, 2013 Regular Board meeting minutes	Reviewed and discussed.	M/HF, S/KB to approve minutes as written. Unanimous.
4.0 Report of Executive Director/Staff 4.1 Expense Summary Budget          4.3 Discussion of Reprimands related to license encumbrance (DN)	DN informed Board that we will soon be implementing FTP site to access future Board packets electronically. Hopefully, we will be able to do a trial run for the February Board meeting. Budget allows purchase of tablets or laptops for Board's use. We also have webcam purchased and have WEBEX contract for remote access of Board meetings for public.     According to Board Counsel, so long as reprimand does not limit licensee in the State of NH, it is not an encumbrance of NH nursing license. Board has right to review reprimand on case by case basis.	
6.0 Open files	Discussed open files. LO informed Board that she has received 34 new complaints since December 1.	
7.0 Adjudicative (Investigator/Prosecutor) 7.2 Consent Decree/Settlement Agreement/ Voluntary Surrender/ Reciprocal Discipline/Practice Restrictions 7.2.1 V. Bourk Frazier, RN #037341-21  7.4 Dismissals (Proposed) 7.4.1 A. L., LNA    7.4.2 K. O., LPN    7.5 Recommendations (Proposed) 7.5.1 M. C., LNA	Previously reviewed.          Previously reviewed.       Removed from Consent Agenda for review.       Removed from Consent Agenda for review.	M/HF, S/TC to approve Settlement Agreement as proposed. Unanimous.     M/HF, S/TC to approve recommendations as proposed. Unanimous.    M/TC, S//KB to approve recommendations as proposed. Unanimous.    M/CS, S//TC to accept recommendations as proposed. Unanimous.

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7.5.2	L. W., LPN	Previously reviewed.	M/HF, S/TC to accept recommendations as proposed. Unanimous.
7.5.3	M. G-O, RN	Previously reviewed.	M/HF, S/TC to accept recommendations as proposed. Unanimous.
7.5.4	S. B., LNA	Previously reviewed.	M/KB, S/TC to deny recommendations as proposed. Unanimous.
7.5.5	J. D., LPN	Previously reviewed.	M/HF, S/TC to accept recommendations as proposed. Unanimous.
9.0	Licensure		
9.3	Licensure (Non-appearance)		
9.3.1	S. H., LNA Endorsement	Previously reviewed.	M/HF, S/TC to allow LNA licensure in NH. Unanimous.
9.3.2	C. S., LNA licensure	Previously reviewed.	M/HF, S/TC to allow LNA licensure in NH. Unanimous.
9.3.3	T. K., LNA licensure	Previously reviewed.	M/HF, S/TC to allow LNA licensure in NH. Unanimous.
9.3.4	J. B., LNA licensure	Previously reviewed.	M/HF, S/TC to allow LNA licensure in NH. Unanimous.
9.3.5	A. P., LNA licensure	Previously reviewed.	M/HF, S/TC to allow LNA licensure in NH. Unanimous.
9.3.6	M. F., LNA licensure	Previously reviewed.	M/HF, S/TC to allow LNA licensure in NH. Unanimous.
9.3.7	D. F., RN Endorsement	Previously reviewed.	M/HF, S/TC to allow RN licensure in NH. Unanimous.
9.3.8	C. B., RN Examination	Previously reviewed.	M/HF, S/TC to allow applicant to sit for NCLEX-RN in NH. Unanimous.



TOPIC	DISCUSSION	ACTION
	<p>Docket #13-1227-0404, pursuant to the Nurse Practice Act RSA 326-B and the administrative rules, Chapter 100 - 800, proceeded at 9:35 a.m. with R. Duhaime Chair presiding.</p> <p>Board members present: K. Baranowski (KB), C. Smith (CS), B. Fersch (BF), N. Fortin (NF), J. Kuras (JK), H. Featherston (HF), T. Collins (TC), K. Kidder (KK)</p> <p>Board staff present: K. Dickson (KD), Laurel O'Connor, Hearing Counsel for Board of Nursing</p> <p>Reading of Notice of Hearing waived.</p> <p>Respondent present <b>via telephone</b> to offer testimony:</p> <p>Hearing concluded at 9:45 a.m.</p>	<p>Counsel's Proposed Rulings of Law #1 - #2; affirm Hearing Counsel's Proposed Sanctions #2 - #7; amend Hearing Counsel's Proposed Sanction #1 REVOKE NH RN license and assess monetary penalty of \$500 to deter future misconduct and to defray costs associated with investigation and prosecution of case.</p> <p>Unanimous.</p> <p>(See Docket #13-1227-0404)</p>
10.0 Education	AP inquired about clinical practice requirements for foreign nurses.	Board affirmed that foreign nurses must meet clinical practice requirements pursuant to Nur 401.03.
10.1 Consideration for Approval Status		
10.1.2 Manchester Community College RN AD Program	Reviewed and discussed 5-year review for continuing approval held on December 9, 2013. Charlene Wolfe-Stepro, MS, RN, Department Chair of Nursing, was present to answer questions.	M/KB, S/NF to grant full five-year <i>Continuing Approval</i> of program and director. Unanimous.
10.2 New Programs		
10.2.1 A New Day: RN Refresher Course (AP)	Request to approve on-line RN Refresher Course titled, "A New Day: RN Refresher Course", as alternative method to assist registered nurses to return to practice.	M/KB, S/NF to grant approval of on-line RN Refresher Course, "A New Day: RN Refresher Course." Unanimous.
10.3 Education Issues		
10.3.1 Spring Schedule for BON site visits	Reviewed and discussed schedule for five year re-approval of nursing programs.	Board members to notify AP regarding visits they are able to attend.
10.3.2 Lakes Region Community College	Reviewed and discussed LRCC pass rates.	Board to request corrective action plan from LRCC and attendance at February Board meeting.
10.3.3 Regulatory Core Standards (AP)	Reviewed draft of Regulatory Core Standards: The Future State of Pre-licensure Distance Education Programs in Nursing.	Board recommended to "move ahead with caution" and forward to Deans and Directors for their input.
11.0 Practice Inquiries and Practice Committee Reports		
11.1 Liaison (KK)	KK reported on Liaison Committee meeting.	

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<p>11.2 P &amp; E Committee (NF)</p> <p>11.3 Request for Board Advice re:  11.3.1 RN Scope of Practice:  Insulin Management</p>	<p>No meeting.</p> <p>Reviewed and discussed whether or not it is within RN scope of practice for Certified Diabetes Educator Registered Nurse to adjust insulin dosing of out-patients based on approved Insulin Adjustment Protocol when ordered/activated by physician office practice providers with patient referral to Diabetes Services for Insulin Management.</p>	<p>M/NF, S/KK affirmed that it is within RN scope of practice to manage insulin as long as RN is following standard provider order.  Unanimous.</p>
<p>7.0 Adjudicative (Investigator/Prosecutor)</p> <p>7.1 Hearings</p> <p>7.1.4 D. Chiasson, RN  #045525-21</p>	<p>Hearing held in absentia for D. Chiasson, RN #045525-21, Docket #13-1227-0407, pursuant to the Nurse Practice Act RSA 326-B and the administrative rules, Chapter 100 - 800, proceeded at 11:10 a.m. with R. Duhaime Chair presiding.  Board members present: K. Baranowski (KB), C. Smith (CS), N. Fortin (NF), J. Kuras (JK), H. Featherston (HF), T. Collins (TC), K. Kidder (KK), B. Fersch (BF)  Board staff present: K. Dickson (KD), Laurel O'Connor, Hearing Counsel for Board of Nursing  Reading of Notice of Hearing waived.  Witnesses present to offer testimony:  Trooper Kevin Devlin, Division of State Police, Epping, NH  Hearing concluded at 11:25 a.m.</p>	<p>M/NF, S/KK to affirm Hearing Counsel's Proposed Findings of Facts #1 - #9; affirm Hearing Counsel's Proposed Rulings of Law #1 - #3; affirm Hearing Counsel's Proposed Sanctions #2 - #7; amend Hearing Counsel's Proposed Sanction #1 to REVOKE NH RN license and assess monetary penalty of \$1500 to deter future misconduct and to defray costs associated with investigation and prosecution of case.  Unanimous.  (See Docket #13-1227-0407)</p>
<p>3.0 Report of Chair/Members</p> <p>3.1 Public Hearing  Administrative Rules</p>	<p>Public Hearing held in Room B119 at 121 South Fruit Street, Concord, NH for proposed rule changes for Chapters 100, 300, 400, 700 and 800 proceeded at 11:30 a.m. with R. Duhaime Chair presiding. Present at hearing were Board members K. Baranowski (KB), N. Fortin (NF), K. Kidder (KK), B. Fersch (BF), H. Featherston (HF), T. Collins (TC), J. Kuras (JK), Board staff D. Nies (DN), A. Pavlidis (AP), L. Tetreault (LT), and K. Dickson (KD). No one appeared for Public Hearing. DN read letter received from American Diabetes Association in support of Proposed Rule NH 8332 2013 – Definition of Stable Client.</p>	<p>M/KB, S/NF to accept the following amended definition for "Stable client": "Stable client" means a client whose health status is at the expected baseline, or with predictable or expected responses that can occur with known chronic or long term medical conditions.  Unanimous.</p>

TOPIC	DISCUSSION	ACTION
	Public Hearing concluded at 11:50 a.m.	
12.0 Committee Reports and Recommendations 12.1 HeM 1201 (TC)  12.2 Day of Discussion 12.2.1 RN/LPN Day of Discussion (AP)  12.2.2 LNA Day of Discussion (LT)  12.3 ADA (NF, AF, TC)	No meeting.  Meeting planned with NH School Nurses Association to discuss needs of school nurses.  LNA Day of Discussion planned for June 19, 2014, at Walker Building. In process of lining up speakers.  No applicants.  M/NF, S/KB to conduct non-public session for purpose of discussion of alleged licensee misconduct. Non-public session is authorized by RSA 91-A:3 II and Board's executive and deliberative privileges. Minutes of non-public session shall be sealed. Board voted as follows: Yea: RD, KB, CS, KK, BF, NF, JK, HF, TC Non-public session began at 12:10 p.m. and concluded at 1:00 p.m.	
8.0 Adjudicative (Executive Director) 8.1 Reinstatement, Removal of Probation, Restrictions, Modifications or Conditions 8.1.1 K. Welch, RN #058194-21  8.1.2 J. Gould Inactive LNA #025566-24	K. Welch offered oral testimony in support of petition to remove probation from RN license.  Failed to appear.	M/NF, S/KB to remove PROBATION from NH RN license as requested. Unanimous.
7.0 Adjudicative (Investigator/Prosecutor) 7.2 Consent Decree/Settlement Agreement/ Voluntary Surrender/ Reciprocal Discipline/Practice Restrictions 7.2.3 N. Stewart, LNA (VS) #033572-24  7.2.4 R. Nichols, RN/APRN (VS) #035688-23/23	Reviewed and discussed Voluntary Surrender of LNA license.  Reviewed and discussed Voluntary Surrender of RN and APRN licenses.	M/TC, S/CS to accept Voluntary Surrender of LNA license as signed. Unanimous.  M/KK, S/KB to accept Voluntary Surrender of RN and APRN licenses. Unanimous.

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<p>7.2.5 B. Birner, RN/APRN (SA) #026213-21/23</p> <p>7.2.6 T. Speers, RN #063989-21</p>	<p>Reviewed and discussed proposed Settlement Agreement. Attorney Katherine Hanna was present on B. Birner's behalf to offer testimony in support of proposed Settlement Agreement.</p> <p>Reviewed and discussed Voluntary Surrender of RN license.</p> <p>M/NF, S/KK to conduct non-public session for purpose of discussion of alleged licensee misconduct. Non-public session is authorized by RSA 91-A:3 II and Board's executive and deliberative privileges. Minutes of non-public session shall be sealed. Board voted as follows: Yea: RD, KB, CS, KK, BF, NF, JK, HF, TC Non-public session began at 1:50 p.m. and concluded at 2:25 p.m.</p>	<p>Board deferred decision on Settlement Agreement until Respondent appears before Board.</p> <p>M/KB, S/KK to accept Voluntary Surrender of RN license. Unanimous.</p>
<p>9.0 Licensure</p> <p>9.3 Licensure – non-appearances</p> <p>9.3.9 E. Lapierre Licensure by RN Endorsement</p> <p>9.3.10 L. Billings NH RN Reinstatement</p>	<p>Reviewed and discussed documentation submitted for NH RN licensure by endorsement.</p> <p>Reviewed and discussed documentation submitted for NH RN license reinstatement.</p>	<p>M/NF, S/KK to deny RN licensure in New Hampshire. Unanimous.</p> <p>M/KB, S/HF to allow RN Reinstatement in NH. Yea: KB, HF, BF, TC, KK, CS, JK Nay: NF Motion carries.</p>
<p>14.0 National Council</p>	<p>KB and DN to attend NCSBN Midyear meeting in March.</p>	
<p>17.0 Adjournment</p>	<p>Next regular meeting: February 20, 2014 8:00 a.m. NH Board of Nursing Conference Room B119 121 South St Concord, NH 03301</p>	<p>Meeting adjourned at 2:40 p.m.</p> <p>Respectfully submitted,</p> <p>Denise Nies, MSN, RN, BC Executive Director</p>